

SENATE JOURNAL
ELEVENTH DAY
MORNING SESSION

The Senate was called to order at 10:00 a.m., with President Al Mansell presiding.

Roll Call- All Senators present

Prayer -Frank A. Martin, Stake Patriarch, Salt Lake Wasatch Stake

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 8)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 24, 2001

The House passed, as amended, **H.B. 6**, STANDARDS FOR ILLEGAL DRUG LAB DECONTAMINATION, by Representative A.L. Tyler, and it is transmitted for consideration; and

The House passed **H.B. 52**, UNEMPLOYMENT INSURANCE AMENDMENTS, by Representative R. Siddoway, and it is transmitted for consideration; and

The House passed **H.B. 75**, NAVAJO REVITALIZATION FUND AMENDMENTS, by Representative J. Buffmire, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 6**, as amended, **H.B. 52** and, **H.B. 75** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 24, 2001

The Rules Committee recommends assignment of the following bills to standing committees:

Business, Labor & Economic Development

S.B. 129 Medical Malpractice - Monetary Cap (M. Waddoups)

Education

S.B. 120 Distance Education Doctorate Program (B. Evans)

Energy, Natural Resources & Agriculture**1st Sub. H.B. 14** Underground Wastewater Disposal Systems (T. Hatch)**Health & Environment****S.B. 58** Repeal of Nursing Facilities Assessment (P. Knudson)**S.B. 121** Task Force on Improving Access to Health Care
(P. Knudson)**H.B. 195** Department of Health - Fee Process (K. Garn)**Human Services****S.B. 125** Aging and Adult Services Amendments (D. Eastman)**H.B. 31** Child Welfare Oversight Panel Amendments (T. Beck)**Judiciary****S.B. 110** Criminal Procedure Amendments (L. Hillyard)**S.B. 128** Justice Court Appeals Revision (T. Spencer)**Transportation & Public Safety****H.B. 49** Vehicle Suspension Lift Laws (D. Bowman)**H.B. 60** Justice Court Amendments (B. Goodfellow)**1st Sub. H.B. 209** Issuance of a Drivers License (B. Parker)**H.B. 218** State Highway Access Management (W. Harper)Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

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To the Members of the Senate: January 24, 2001

The Rules Committee recommends the assignment of the following Resolution to the second reading calendar:

S.J.R. 6 Joint Resolution Recognizing Liberty Day (E. Mayne)Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 24, 2001

The Revenue and Taxation Committee recommends **S.B. 27**, SALES AND USE TAX EXEMPTION FOR MINING ESTABLISHMENTS, by Senator H. Stephenson, be replaced and favorably recommends 3rd Sub. S.B. 27,

INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND
INCOME TAX CREDITS FOR MINING ESTABLISHMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 34**, INDIVIDUAL INCOME TAX RELIEF FOR LOW-INCOME INDIVIDUALS AND RELATED STATE TAX COMMISSION AMENDMENTS, by Senator L. Hillyard, with the following amendments:

1. Page 5, Line 151:
After “(ii)” delete “state income tax percentage” and insert “tax imposed under Section 59-10-104”
2. Page 6, Line 152:
After “(2)” insert “(a)”
3. Page 6, Line 154:
After “individual” bracket “in accordance with the” and after “{schedules}” delete “tables”
4. Page 6, Line 155:
At the beginning of Line 155 delete “provided for” and then bracket “in Section 59-10-104”
5. Page 6, Line 158:
After Line 158 insert:
“(b) The tax under this section shall be calculated by multiplying the nonresident individual’s state taxable income by the nonresident individual’s state income tax percentage.”

Curtis S. Bramble, Chair; and

Mr. President: January 24, 2001

The State and Local Affairs Committee reports a favorable recommendation on **S.B. 47**, BALLOT REQUIREMENTS ON LEGISLATIVE AND INITIATIVE PROPOSALS, by Senator M. Peterson, with the following amendments:

1. Page 4, Line 113:
After “heading” delete “People’s
Citizen’s”
2. Page 4, Line 116:
After “heading” delete “People’s
Insert “Citizen’s”

3. Page 4, Line 119:
After "heading" delete "People's"
Insert "Citizen's"
4. Page 5, Line 122:
After "heading" delete "People's"
Insert "Citizen's"
5. Page 6, Line 167:
After "heading" delete "People's"
Insert "Citizen's"
6. Page 6, Line 170:
After "heading" delete "People's"
Insert "Citizen's"
7. Page 6, Line 173:
After "heading" delete "People's"
Insert "Citizen's"
8. Page 6, Line 176:
After "heading" delete "People's"
Insert "Citizen's"
9. Page 7, Line 194:
After "heading" delete "People's"
Insert "Citizen's"
10. Page 7, Line 197:
After "heading" delete "People's"
Insert "Citizen's"
11. Page 9, Line 248:
After "ballot" delete "People's"
Insert "Citizen's"
12. Page 9, Line 267:
After "ballot" delete "People's"
Insert "Citizen's"
13. Page 10, Line 299:
After "ballot" delete "People's"
Insert "Citizen's"

14. Page 11, Line 333:
After "ballot" delete "People's"
Insert "Citizen's"
15. Page 11, Line 335:
After "ballot" delete "People's"
Insert "Citizen's"
16. Page 12, Line 364:
After "ballot" delete "People's"
Insert "Citizen's"
17. Page 12, Line 366:
After "ballot" delete "People's"
Insert "Citizen's"; and

The State and Local Affairs Committee reports a favorable recommendation on **S.B. 53**, TRUST DEED LAW AMENDMENTS, by Senator M. Waddoups, with the following amendments:

1. Page 3, Line 79:
After "Subsection (1)"
Insert "or from using the service of others for publication and posting"
2. Page 6, Line 172:
Delete "current"
Insert "record"
3. Page 6, Line 173:
After "property"
Insert "as of the reporting of the notice of default"
4. Page 7, Line 188:
After "where"
Delete "the date of filing for record of"; and

The State and Local Affairs Committee reports a favorable recommendation on **S.B. 105**, STATE SETTLEMENT AGREEMENTS AMENDMENTS, by Senator P. Knudson, with the following amendments:

1. Page 3, Lines 68-71:
Delete lines 68-71 and insert:
"(4)(a) The Department of Transportation may not enter into a settlement agreement that resolves a condemnation case and requires"

payment of \$1,000,000 to \$2,000,000 over the Department of Transportation's original appraisal until the Transportation Commission has approved the agreement.

(b) The Department of Transportation may not enter into a settlement agreement that resolves a condemnation case and requires payment of more than \$2,000,000 over the Department of Transportation's original appraisal until:

(i) the Transportation Commission has approved the agreement; and
(ii) the Legislative Management Committee has reviewed and approved the agreement."

Carlene M. Walker, Chair

On motion of Senator Valentine, the committee reports were adopted. **3Sub. S.B. 27, S.B. 34**, as amended, **S.B. 47**, as amended, **S.B. 53**, as amended, and **S.B. 105**, as amended, were placed on Second Reading Calendar.

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Mr. President:

January 24, 2001

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 106**, MUNICIPAL BOND SECURED TRANSACTIONS, by Senator L. Hillyard, with the following amendment and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 1, Line 15:

Delete line 15 and insert:

"(b) "Governmental unit" means:

(i) the State of Utah;

(ii) any county, municipality, quasi-municipal corporation, political subdivision, school district, special district, building authority, or other governmental entity in Utah; or

(iii) any subdivision, agency, department, authority, instrumentality, or institution of the entities described in Subsections (1)(b)(i) or (ii) that are authorized to issue bonds."

Curtis S. Bramble, Chair

On motion of Senator Bramble, the committee reports were adopted. **S.B. 106** were read the second time and placed on the Consent Calendar.

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Mr. President:

January 24., 2001

The Human Services Committee has returned **H.B. 204**, OLENE WALKER HOUSING TRUST FUND APPROPRIATION, by Representative W. Harper, et

al, to the Secretary of the Senate, with the recommendation it be sent to the appropriate appropriations subcommittee.

John W. "Bill" Hickman, Chair

On motion of Senator Waddoups, the committee report was adopted and **H.B. 204** was returned to the Rules Committee for appropriate appropriations committee appointment.

INTRODUCTION OF BILLS

SALES TAX - DISTRIBUTION OF OLYMPIC SPECIAL REVENUE FUND MONIES

S.B. 67

Michael G. Waddoups

THIS ACT MODIFIES THE UTAH SPORTS AUTHORITY ACT. THE ACT MODIFIES DISBURSEMENT FROM THE OLYMPIC SPECIAL REVENUE FUND BY MODIFYING THE DETERMINATION OF A MUNICIPALITY'S OR COUNTY'S PERCENTAGE OF TOTAL SALES AND USE TAXES GENERATED AND DEPOSITED INTO THE OLYMPIC SPECIAL REVENUE FUND, was read for the first time and referred to the Rules Committee.

PLACEMENT OF CERTAIN RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

S.B. 68

Ed P. Mayne

THIS ACT MODIFIES PROVISIONS RELATING TO COUNTIES AND THE UTAH MUNICIPAL CODE TO MODIFY THE ALLOWABLE RESTRICTIONS THAT COUNTY AND MUNICIPAL ORDINANCES MAY CONTAIN RELATING TO RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY. THE ACT ALLOWS COUNTY AND MUNICIPAL ORDINANCES, IF CONSISTENT WITH FEDERAL AND STATE LAW, TO REQUIRE SUPERVISION AND SECURITY FOR RESIDENTIAL SUBSTANCE ABUSE FACILITIES LOCATED WITHIN A CERTAIN DISTANCE OF A SCHOOL. THE ACT ELIMINATES A REQUIREMENT THAT RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY BE A PERMITTED USE IN ANY ZONING AREA WHERE RESIDENTIAL DWELLINGS ARE ALLOWED. THE ACT ALSO MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

MEDICAL CLAIMS AMENDMENTS**S.B. 69***Leonard M. Blackham*

THIS ACT MODIFIES THE INSURANCE CODE TO ESTABLISH A HEALTH CARE PROVIDER CLAIMS PRACTICE. THE ACT ESTABLISHES THE DUTIES OF AN INSURER TO TIMELY PAY PROVIDERS AND THE DUTY OF PROVIDERS TO RESPOND TO INSURER REQUEST FOR INFORMATION. THE ACT PROVIDES FOR PENALTIES FOR FAILURE TO TIMELY PAY. THE ACT DEFINES AN UNFAIR CLAIM SETTLEMENT PRACTICE. THE ACT AUTHORIZES THE INSURANCE COMMISSIONER TO AUDIT COMPLIANCE, IMPOSE SANCTIONS, AND ADOPT RULES NECESSARY TO ENFORCE THE ACT, was read for the first time and referred to the Rules Committee.

VOTER INFORMATION PAMPHLET AMENDMENTS**S.B. 86***David L. Gladwell*

THIS ACT MODIFIES THE ELECTION CODE. THE ACT CLARIFIES THE STANDARD OF REVIEW IN WRITING AND JUDICIALLY REVIEWING BALLOT TITLES FOR INITIATIVE AND REFERENDA. THE ACT PROVIDES A TIME FRAME FOR REBUTTALS TO ARGUMENTS PRESENTED FOR OR AGAINST AN INITIATIVE. THE ACT CLARIFIES THE RESPONSIBILITY FOR BALLOT MARKING PROCEDURES. THE ACT MAKES TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

ANTIQUE FIREARMS AMENDMENTS**S.B. 87***Michael G. Waddoups*

THIS ACT MODIFIES PROVISIONS RELATING TO FIREARMS. THE ACT DEFINES CERTAIN TERMS. THE ACT CHANGES THE DEFINITION OF A FIREARM TO EXCLUDE ANTIQUE FIREARMS AND CURIO OR RELIC FIREARMS, was read for the first time and referred to the Rules Committee.

CONSTRUCTION BID LIMIT AMENDMENTS**S.B. 148***Howard A. Stephenson*

THIS ACT MODIFIES THE TRANSPORTATION CODE TO PROVIDE CERTAIN ACCOUNTING REQUIREMENTS AND SANCTIONS ON A

HIGHWAY AUTHORITY THAT VIOLATES CERTAIN HIGHWAY CONSTRUCTION BID LIMIT PROVISIONS, was read for the first time and referred to the Rules Committee.

UTAH PROSECUTION COUNCIL AMENDMENTS

S.B. 149*Ron Allen*

THIS ACT AMENDS THE CHAPTER CREATING THE UTAH PROSECUTION COUNCIL BY ADDING THE CHAIR OF THE UTAH PROSECUTORIAL ASSISTANTS ASSOCIATION AS A VOTING MEMBER OF THE COUNCIL. THIS ACT ALSO CLARIFIES PROCEDURE FOR REIMBURSEMENT OF UNUSUAL PROSECUTION EXPENSES, AMENDS PROCEDURE FOR CITY PROSECUTORS TO BE APPOINTED TO THE COUNCIL, AND CLARIFIES THE TERMS OF NEWLY APPOINTED MEMBERS, was read for the first time and referred to the Rules Committee.

TIME RESTRICTION ON WHEN STATE OFFICIALS MAY BECOME LOBBYISTS

S.B. 150*D. Edgar Allen*

THIS ACT MODIFIES TITLE 36 OF THE UTAH CODE BY ENACTING THE LOBBYING RESTRICTIONS ACT. THE ACT DEFINES CERTAIN TERMS AND PROHIBITS CERTAIN STATE OFFICIALS FROM BECOMING LOBBYISTS FOR TWO YEARS AFTER LEAVING OFFICE. THIS ACT TAKES EFFECT ON JANUARY 1, 2002, was read for the first time and referred to the Rules Committee.

UNIFORM COMMERCIAL CODE - TECHNICAL AMENDMENTS

S.B. 151*Lyle W. Hillyard*

THIS ACT MODIFIES THE UNIFORM COMMERCIAL CODE - SECURED TRANSACTIONS BY CORRECTING CROSS REFERENCES, was read for the first time and referred to the Rules Committee.

MEDICAL EXPENSES OF COUNTY INMATES

S.B. 152*Michael G. Waddoups*

THIS ACT MODIFIES PROVISIONS RELATING TO COUNTIES TO INCLUDE INMATE MEDICAL EXPENSES PROVIDED AT THE REQUEST OF A COUNTY SHERIFF AS COUNTY EXPENSES. THE ACT SPECIFIES

THE BASIS FOR COSTS OF MEDICAL SERVICES IN THE ABSENCE OF A CONTRACT BETWEEN THE COUNTY AND A MEDICAL SERVICE PROVIDER OR FACILITY. THE ACT ALSO MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

KINSHIP PLACEMENT FOR FOSTER CHILDREN

S.B. 153

Bill Wright

THIS ACT AMENDS THE JUDICIAL CODE AND THE HUMAN SERVICES CODE TO AUTHORIZE THE DIVISION OF CHILD AND FAMILY SERVICES TO PLACE A CHILD IN AN EMERGENCY KINSHIP PLACEMENT RATHER THAN SHELTER CARE PRIOR TO A SHELTER HEARING. THE ACT EXPANDS THE REQUIREMENT FOR A SHELTER HEARING TO INCLUDE AFTER AN EMERGENCY KINSHIP PLACEMENT, AFTER A PARENT HAS ENTERED A DOMESTIC VIOLENCE SHELTER AT THE REQUEST OF THE DIVISION, AND AFTER A PARENT HAS BEEN ASKED BY THE DIVISION TO LEAVE THE HOME. THE ACT EXPANDS THE CIRCUMSTANCES IN WHICH THE DIVISION MUST CONDUCT A POST-REMOVAL INVESTIGATION, was read for the first time and referred to the Rules Committee.

INDIGENT DEFENDANT LEGAL SERVICES

S.B. 154

David L. Gladwell

THIS ACT AMENDS THE INDIGENT DEFENSE ACT IN THE CODE OF CRIMINAL PROCEDURE, REGARDING PROVIDING DEFENSE FOR INDIGENT PERSONS. THE ACT REQUIRES THAT IF A COUNTY OR MUNICIPALITY HAS CONTRACTED FOR LEGAL DEFENSE OR DEFENSE RESOURCES, INDIGENT REPRESENTATION SHALL BE ASSIGNED TO THOSE CONTRACTED, UNLESS THERE IS A COMPELLING REASON TO ASSIGN REPRESENTATION TO A NONCONTRACTING PARTY. THE ACT ALSO PROVIDES DEFINITIONS OF COMPELLING REASON AND DEFENSE RESOURCES, was read for the first time and referred to the Rules Committee.

RETIREMENT BOARD MEMBERSHIP

S.B. 155

David H. Steele

THIS ACT MODIFIES THE UTAH STATE RETIREMENT ACT BY EXPANDING THE UTAH STATE RETIREMENT BOARD MEMBERSHIP, was read for the first time and referred to the Rules Committee.

OVERSIZE PERMIT AMENDMENTS**S.B. 156***John W. Hickman*

THIS ACT MODIFIES THE TRANSPORTATION CODE BY AMENDING CERTAIN LENGTH LIMITATIONS FOR OVERSIZE PERMITS, was read for the first time and referred to the Rules Committee.

VEHICLE SAFETY INSPECTION AMENDMENTS**S.B. 157***D. Chris Buttars*

THIS ACT MODIFIES THE PUBLIC SAFETY CODE BY AUTHORIZING A SAFETY INSPECTION APPRENTICESHIP PROGRAM FOR HIGH SCHOOLS. THIS ACT AMENDS THE FREQUENCY FOR THE SAFETY INSPECTIONS OF NEW VEHICLES AND INCREASES THE AUTHORIZED SAFETY INSPECTION FEES, was read for the first time and referred to the Rules Committee.

SENATE RULES RESOLUTION - SUSPENSION OF RULES**S.R. 4***D. Edgar Allen*

THIS SENATE RULES RESOLUTION AMENDS SENATE RULES TO REQUIRE A TWO-THIRDS VOTE FOR SUSPENDING RULES. THIS RESOLUTION PROVIDES AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 5, SERIOUS HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM AMENDMENT, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman
Hillyard	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Stephenson	Valentine	Waddoups
Walker	Wright	Mansell	

Absent or not voting were: Senators
Davis Suazo

H.B. 5 was signed by the President in open session and returned to the House.

THIRD READING CALENDAR

H.B. 20, STATE SYMBOL RECODIFICATION, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

H.B. 20 was signed by the President in open session and returned to the House.

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H.B. 16, ELECTRONIC GOVERNMENT SERVICES AMENDMENTS - ENVIRONMENTAL QUALITY, was read the third time, explained by Senator Steele, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

H.B. 16 was signed by the President in open session and returned to the House.

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H.B. 17, ELECTRONIC GOVERNMENT SERVICES AMENDMENTS - NATURAL RESOURCES, was read the third time, explained by Senator Steele, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

H.B. 17 was signed by the President in open session and returned to the House.

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S.B. 17, HIGHWAY CONSTRUCTION BID LIMIT, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 25; Nays, 4; Absent, 0.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Julander	Knudson
Mayne	Peterson	Poulton	Steele
Suazo	Valentine	Waddoups	Walker
Mansell			

Voting in the negative were: Senators

Jenkins	Spencer	Stephenson	Wright
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S.B. 17 was transmitted to the House.

SECOND READING CALENDAR

1S.B. 39, PERMISSIVE USE OF COUNTY AND CITY MONEYS, was read the second time. Senator Buttars explained the bill. Senator Buttars declared

a conflict of interest. Senators Jenkins, Hillyard, and Valentine commented. The bill passed on the following roll call:

Yeas, 27; Nays, 2; Absent, 0.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	

Voting in the negative were: Senators

Hillyard	Stephenson
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On motion of Senator Suazo, the circle was removed from **S.B. 37**, HATE CRIME AMENDMENTS, and it was before the Senate. Senator Suazo explained the bill. Senators Gladwell, Hillyard, Hales, R. Allen, Julander, E. Allen, Poulton, Davis, and Blackham commented. The bill passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Buttars
Davis	Dmitrich	Eastman	Evans
Hale	Hickman	Hillyard	Jenkins
Julander	Knudson	Mayne	Peterson
Steele	Suazo	Waddoups	Walker
Mansell			

Voting in the negative were: Senators

Bramble	Gladwell	Hellewell	Poulton
Spencer	Stephenson	Valentine	

Absent or not voting was: Senator

Wright

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On motion of Senator Poulton, and at 11:40 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m., with President Mansell presiding.

Senator Hillyard was excused for the afternoon session.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 25, 2001

The House passed, as amended, **H.B. 62**, OPERATION AND MAINTENANCE OF STATE BUILDINGS, by Representative G. Adair, and it is transmitted for consideration; and

The House passed **H.B. 194**, STATE HIGHWAY DESIGNATION, by Representative B. Johnson, and it is transmitted for consideration; and

The House passed **H.B. 196**, DUI - PROBATION AMENDMENTS, by Representative A.L. Tyler, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 200**, IGNITION INTERLOCK AMENDMENTS, by Representative A.L. Tyler, and it is transmitted for consideration; and

The House passed **H.B. 213**, FISHING LICENSE EXEMPTION FOR YOUTH IN YOUTH CORRECTIONS, by Representative B. Johnson, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 214**, CORRIDOR PRESERVATION FUNDING DISTRIBUTION, by Representative D. Hogue, and it is transmitted for consideration; and

The House passed **H.J.R. 2**, RESOLUTION ON SOCIAL SECURITY, by Representative J. Ferrin, et al, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 62**, as amended, **H.B. 194**, **H.B. 196**, **H.B. 200** as amended, **H.B. 213**, **1st Sub. H.B. 214**, and **H.J.R. 2** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 25, 2001

The Rules Committee recommends assignment of the following bills and resolution to standing committees:

Judiciary

S.R. 3 Resolution Urging Requirement of Bond to File a Bar Complaint (T. Spencer)

Revenue & Taxation

H.B. 206 Counties Accumulation of Retained Earnings (T. Hatch)

State & Local Affairs

H.B. 202 511 Communications System (M. Dillree)

Transportation & Public Safety

S.B. 108 Licensure of Motor Vehicles (E. Mayne)

H.B. 201 Revisions to Driving Under the Influence (A.L. Tyler)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

SECOND READING CALENDAR

S.B. 38, HIGHWAY AUTHORITY WINTER ROAD CLOSURE AUTHORITY, was read the second time. Senator Hellewell explained the bill.

On motion of Senator Hellewell, the bill was amended as follows:

1. Page 1, Line 22:
Reinstate all of line 22
2. Page 1, Line 23:
Reinstate “weight of a vehicle under Subsection (1) for more than” and insert “120” and reinstate “days in any one calendar year.”
3. Page 1, Line 24:
Reinstate “(3)” and delete “(2)”
4. Page 1, Line 27:
Reinstate “(4)” and delete “(3)”

The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

E. Allen	Blackham	Bramble	Buttars
Davis	Eastman	Evans	Gladwell
Hale	Hellewell	Hickman	Jenkins
Julander	Knudson	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

Voting in the negative were: Senators

R. Allen	Dmitrich
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Absent or not voting were: Senators

Hillyard	Mayne
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S.B. 50, PROPERTY EXEMPT FROM EXECUTION, was read the second time.

On motion of Senator Walker, the bill was circled.

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S.B. 7, STATE TEXTBOOK COMMISSION AMENDMENTS, was read the second time. Senator Steele explained the bill. Senator Valentine commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Jenkins	Julander	Knudson	Peterson
Poulton	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

Absent or not voting were: Senators

Hickman	Hillyard	Mayne	Spencer
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S.B. 54, EDUCATION ROUNDTABLE, was read the second time. Senator Buttars explained the bill.

On motion of Senator Buttars, the bill was amended as follows:

1. Page 2, Line 30:
After “education:” delete “and”
2. Page 2, Line 31:
After line 31 insert the following:
“: and (D) other committee members as approved or appointed by the Senate President.”The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Jenkins	Julander	Knudson	Peterson
Poulton	Spencer	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

Absent or not voting were: Senators

Hickman	Hillyard	Mayne
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Sub. S.B. 26, MASTER ROAD AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Jenkins	Julander	Knudson
Peterson	Poulton	Spencer	Steele
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

Absent or not voting were: Senators

Hillyard	Mayne	Stephenson
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H.B. 19, FEES RECODIFICATION , was read the second time.

On motion of Senator Suazo, the bill was circled.

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H.B. 21, MAILING REQUIREMENTS TO STATE AND POLITICAL SUBDIVISIONS, was read the second time. Senator Spencer explained the bill. Senator Blackham commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Dmitrich	Eastman	Evans	Gladwell
Hellewell	Hickman	Jenkins	Julander
Knudson	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Walker	Wright	Mansell	

Absent or not voting were: Senators

Buttars	Davis	Hale	Hillyard
Mayne	Waddoups		

* * *

H.B. 27, ELECTRONIC GOVERNMENT SERVICES AMENDMENTS-ADMINISTRATIVE RULES AND PROCEDURES, was read the second time. Senator Steele explained the bill. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman
Jenkins	Julander	Knudson	Peterson
Poulton	Spencer	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

Absent or not voting were: Senators

Buttars	Hillyard	Mayne
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1H.B. 29, ELECTION LAW - TECHNICAL AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting was: Senator
Hillyard

* * *

H.B. 33, CLARIFICATION OF TIME LIMITS FOR REUNIFICATION SERVICES, was read the second time.

On motion of Senator Poulton, the bill was circled.

* * *

H.J.R. 3, JOINT RESOLUTION APPROVING APPOINTMENT OF DIRECTOR, was read the second time.

On motion of Senator Poulton, the bill was circled.

* * *

H.B. 32, UNAUTHORIZED CHARGES ON UTILITIES - CRAMMING AMENDMENTS, was read the second time. Senator Blackham explained the bill. Senators Valentine, Bramble, and Mansell commented. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman

Evans	Gladwell	Hale	Hellewell
Hickman	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting was: Senator
Hillyard

* * *

On motion of Senator Wright, the circle was removed from **H.B. 33**, CLARIFICATION OF TIME LIMITS FOR REUNIFICATION SERVICES, and it was before the Senate. Senator Wright explained the bill. Senators Spencer, and Evans commented. Senator Peterson declared a conflict of interest. The bill passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1.

Voting in the affirmative were: Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Gladwell	Hale	Hellewell	Hickman
Jenkins	Knudson	Mayne	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

Voting in the negative were: Senators

Evans	Julander	Peterson
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Absent or not voting was: Senator
Hillyard

* * *

On motion of Senator Poulton and at 3:00 a.m., the Senate adjourned until 10:00 a.m., Friday, January 26, 2001.

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Assigned to standing committee	51
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Assigned to standing committee	138
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Read for the first time and referred to the Rules Committee	24
Assigned to standing committee	94
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Committee report adopted and placed on calendar	139
Read the second time	177
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Transmitted to the House	200
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Read for the first time and referred to the Rules Committee	25
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Read for the first time and referred to the Rules Committee	25
Assigned to standing committee	114
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Assigned to standing committee	114
Placed on calendar	194
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Read for the first time and referred to the Rules Committee	31
Placed on calendar	35

Amendments	39
Read the second time	39
Read the third time	50
Transmitted to the House	50
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Assigned to standing committee	52
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Placed on calendar	52
Read the second time	77
Read the third time	99
Transmitted to the House	99
Signed by the President and transmitted to the Governor	204
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Placed on calendar	52
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Placed on calendar	161
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